

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
No. 19-cv-2938 (PJS/BRT)

Lisa A. Biron,

Plaintiff,

v.

Kathleen Hawk Sawyer, Director Federal Bureau of Prisons; Warden Nanette Barnes; Deanna Hiller, Unit Manager

**REQUEST FOR EXTENSION
OF TIME TO ANSWER OR
RESPOND**

Defendants.

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendants Kathleen Hawk Sawyer, Nanette Barnes, and Deanna Hiller respectfully request an extension of time to answer or otherwise respond to the Complaint.

1. The Complaint was removed to this Court on November 20, 2019. Doc. 1.
2. The Complaint was delivered to the Office of the United States Attorney for the District of Minnesota on November 20, 2019. Normally, the United States, its agencies, officers, or employees may serve an answer or otherwise respond to a complaint within 60 days of service on the United States Attorney. *See Fed. R. Civ. P. 12(a)(2).* Nevertheless, when a complaint is removed to federal court, an answer or response to the complaint is due in as little as seven (7) or twenty-one (21) days, without regard to a Defendant's status as an agency, officer, or employee of the United States. *See Fed. R. Civ. P. 81(c)(2).*
3. Defendants are sued in their official capacity, *see* Doc. 1-2 at 1, as officers of the Federal Bureau of Prisons, an agency of the United States. Defendants accordingly

seek leave to answer or otherwise respond to the Complaint within the regular 60-day timeframe provided by Rule 12(a)(2), i.e., by January 21, 2020.

4. This request is not made for any dilatory purpose and good cause exists for the requested extension of time. The Complaint raises allegations that require inquiry and coordination with Defendants and the United States Bureau of Prisons. Undersigned counsel needs sufficient time to prepare an appropriate answer or response to the Complaint.
5. Plaintiff's position regarding this request is not known and not readily ascertainable due to her incarceration.
6. A Proposed Order granting this Request will be filed on CM/ECF and e-mailed to chambers.

Dated: November 21, 2019

ERICA H. MacDONALD
United States Attorney

s/ Andrew Tweeten

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